

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

NETCHOICE, LLC; and  
COMPUTER & COMMUNICATIONS  
INDUSTRY ASSOCIATION,

*Plaintiffs,*

V.

Civil Action No. 1:21-cv-00840-RP

KEN PAXTON, in his official capacity as  
Attorney General of Texas,

*Defendant.*

## **PARTIES' JOINT STATUS REPORT**

Plaintiffs NetChoice and Computer & Communications Industry Association and Defendant Ken Paxton, in his official capacity as Attorney General of Texas, file this joint status report to inform the Court that a bill is currently pending in the Texas Legislature that, if passed, could alter the scope of the challenged Texas House Bill 20 (2021). *See* Texas Senate Bill 1626 (2025), <https://tinyurl.com/b6etk3cr>.

Senate Bill 1626 purports to provide “clarification” about some of the provisions of House Bill 20 at issue and thus could materially affect this litigation. Tex. S.B. 1626 § 1(1). The case is on remand from the Supreme Court and Fifth Circuit. *See Moody v. NetChoice, LLC & NetChoice, LLC v. Paxton*, 603 U.S. 707, 745 (2024); *NetChoice, L.L.C. v. Paxton*, 121 F.4th 494, 500 (5th Cir. 2024). As part of those courts’ directions for remand, this Court must “assess the [challenged] state law[’s] scope. What activities, by what actors, do[es] the law[] prohibit or otherwise regulate?” *Moody*, 603 U.S. at 745. Then, this Court must “decide which of the law[’s] applications violate the First Amendment, and to measure them against the rest.” *Id.* Senate Bill 1626 could alter this analysis.

In light of these circumstances, the parties agree that it would conserve the resources of both the parties and the Court to wait before proceeding to the next steps of this litigation until after the end of Texas's current legislative session. In addition, Defendant's counsel has an upcoming civil trial beginning May 21, 2025, that will last at least four weeks and require substantial resources.

Texas's regular legislative session ends June 2, 2025. The parties therefore intend to file another joint status report no later than July 11, 2025, informing the Court about the parties' proposed next steps.

Dated: April 11, 2025

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on April 11, 2025, the foregoing was filed electronically via the Court's CM/ECF system, causing electronic service upon all counsel of record.

/s/ Jeremy Evan Maltz  
Jeremy Evan Maltz